

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

No. 18-CR-00656-LTS

CARLOS ALVAREZ,

Defendant.

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ORDER

The Court has received a letter from Mr. Alvarez, dated March 13, 2020, raising issues concerning his representation. As the letter contains information concerning attorney-client communications, a redacted version will be filed publicly, and the unredacted copy will be filed under seal. Unredacted copies will be provided to Mr. Brackley and Mr. Talkin, the CJA attorney who met with Mr. Alvarez at the direction of the Court.

Mr. Alvarez was given an opportunity to raise issues with his current counsel during the Court's February 24, 2020, status conference—his second such opportunity since his change of plea proceedings on September 6, 2019.<sup>1</sup> Despite being advised that the Court was unlikely to entertain any further applications for change of counsel, Mr. Alvarez did not raise any issues concerning Mr. Brackley's representation and declined to seek a change of counsel. While Mr. Alvarez asserts in his March 13 letter that he could not express his concerns due to "nervousness" and "duress," there was no objective indication whatsoever that Mr. Alvarez was suffering from nervousness or duress during the February conference. Nonetheless, as a precautionary measure, the Court appointed Sanford Talkin as CJA counsel for 30 days solely

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<sup>1</sup> The Court held a similar conference on November 8, 2019. The Court has held a total of five change of counsel proceedings in this case.

for the purpose of consultation with Mr. Alvarez. Mr. Talkin subsequently sent a letter to the Court, indicating that he had met with Mr. Alvarez and “discussed all of the issues raised by him, the Court and defense counsel during the [February 24, 2020] conference.” (Docket Entry No. 75.) Mr. Talkin’s letter did not raise any remaining issues.

The Court will neither perform investigations concerning the facts of the case, nor entertain Mr. Alvarez’s letter as a legal challenge to his guilty plea, as Mr. Alvarez is represented by counsel of his choice and there is no objective indication of ineffective assistance. To the extent Mr. Alvarez’s letter is a request for change of counsel, it is denied. The sentencing in this matter will proceed as currently scheduled on **May 28, 2020, at 11:30 a.m.**

SO ORDERED.

Dated: New York, New York  
March 23, 2020

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge

**Copy mailed to:**

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